

Notice of Allowability	Application No.	Applicant(s)	
	09/823,920	STEINBERG, ERAN	
	Examiner	Art Unit	
	Gregory M. Desire	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to interview summary filed 9/14/06.
2. ☒ The allowed claim(s) is/are 1, 2, 5-10, 11-12, 13, 14-17, 21-23, 25-33, 35, 36-37 and 41 (renumbered claims 1, 2, 3-8, 10-11, 9, 12-15, 16-18, 21-29, 30, 19-20 and 31).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>9/14/06</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Demos on 9/14/06.

The application has been amended as follows: Cancel claims 4 and 34

Claim 1 last line after order delete [.] and insert ;

After order; insert "wherein said device is a cell phone."

Claim 21 last line after order delete [.] and insert ;

After order; insert "wherein said device is a cell phone."

Claim 5 line 1 after the word "claim" delete [4] and insert 1

Claim 6 line 1 after the word "claim" delete [4] and insert 1

Claim 7 line 1 after the word "claim" delete [4] and insert 1

Claim 9 line 1 after the word "claim" delete [4] and insert 1

Claim 10 line 1 after the word "claim" delete [4] and insert 1

Claim 11 line 1 after the word "claim" delete [4] and insert 1

Claim 14 line 1 after the word "claim" delete [4] and insert 1

Claim 16 line 1 after the word "claim" delete [4] and insert 1

Claim 35 line 1 after the word "claim" delete [34] and insert 21

Claim 41 line 12 after the word "that" delete [the consumer's job data be placed on a computer monitor screen so that when a lab attendant picks up a phone, the job attendant substantially immediate reference to the job.] and insert job data of the consumer be presented.

Response to Amendment

2. Examiner acknowledges cancelled claims 3, 18-20, 24 and 38-40.

Allowable Subject Matter

3. Claims 1, 2, 5-10, 11-12, 13, 14-17, 21-23, 25-33, 35, 36-37 and 41 (renumbered claims 1, 2, 3-8, 10-11, 9, 12-15, 16-18, 21-29, 30, 19-20 and 31) are allowed.
4. The following is an examiner's statement of reasons for allowance for independent claims 1, 21 and 41.

Regarding claim 1, the prior art teaches developing photographic film, scanning said developed film to create digital image data. It is also well known to send message notifying a consumer a print is ready for pick up. The distinguishing feature is the transmitting of digital image data and the notifying message to a cell phone, wherein consumer is presented with image adjustment options and manipulating a color border and receiving an order print corresponding to an image viewed. Claims 2 and 5-17 depend on claim 1. Therefore are also allowable.

Regarding claim 21, the prior art teaches uploading digital image data to a service facility. It is also well known to transmit digital image data through a network and to send message notifying a consumer a print is ready for pick up. The distinguishing feature is the transmitting of digital image data and the sending of a notifying message to a cell phone, wherein consumer is presented with image adjustment options and manipulating a color border and receiving an order print corresponding to an image viewed. Claims 22-23, 25-33 and 35-37 depend on claim 21. Therefore are also allowable.

Regarding claim 41, the prior art teaches developing photographic film, scanning said developed film to create digital image data. It is also well known to send message notifying a consumer a print is ready for pick up. The distinguishing feature is the transmitting digital image data and the notifying message to a cell phone and displaying icon on the cell phone display, wherein the selection of said icon automatically causes cell phone to be connected with the service facility.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory M. Desire whose telephone number is (571) 272-7449. The examiner can normally be reached on M-F (6:30-3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gregory M. Desire
Examiner
Art Unit 2624

G.D.
September 14, 2006

